THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

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DATED: 07-11-2005

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WRIT PETITION No.23703 OF 2005

Between:

S.Sathaiah . . .Petitioner

And

The Depot Manager, APSRTC, Ranga Reddy Dist. . . .Respondent

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

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WRIT PETITION No.23703 OF 2005

O R D E R:

The petitioner is employed as a Conductor in Hyderabad Central University Depot of APSRTC. A cheque was conducted on 25-09-2005 when the petitioner was conducting a bus on the route 116N at 15-45 hours. On noticing that the petitioner did not make proper entries in the statistical report, the respondent

passed an order, dated 06-10-2005, placing the petitioner under suspension. The same is challenged in this writ petition.

Sri A.Thirupathi Reddy, learned counsel for the petitioner, submits that the alleged irregularities pointed out in the order of suspension are not serious and that the suspension of the petitioner was unwarranted. He contends that the allegation is not in relation to any cash and ticket irregularities or any other misconduct and even if the minor lapses are taken as true, it cannot entail any suspension pending enquiry.

Sri V.T.M.Prasad, learned Standing Counsel for the respondent, on the other hand, submits that the question as to whether the petitioner has committed any irregularity in the matter of conducting the bus, can be known only after the departmental enquiry is held and that no interference is called for with the order of suspension.

The petitioner challenges an order of suspension pending enquiry. The scope for interference with the same is very limited. It is not as if the authority who passed an order does not have the jurisdiction. The truth or otherwise of the allegations made against the petitioner can be known only after the departmental enquiry is conducted. The petitioner is said to have been issued the charge sheet. Inasmuch as the controversy is very narrow, the departmental enquiry can be concluded within the reasonable time.

Hence, the writ petition is disposed of leaving it open to the petitioner to submit his explanation, if not already submitted and directing the respondent to conclude disciplinary proceedings, within a period of one month from the date of receipt of a copy of this order.

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(L.NARASIMHA REDDY, J)

7th NOVEMBER, 2005.

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